

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

ALICE PERDUE, )  
Plaintiff, )  
v. ) Case No.: 7:18-cv-0416  
ROCKYDALE QUARRIES )  
CORPORATION, )  
Defendant. )

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

COMES NOW Defendant Rockydale Quarries Corporation (“Defendant”), by counsel, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and, for the reasons set forth in the memorandum filed contemporaneously herewith, respectfully requests that the Court grant it an extension of time to file its Answer and Affirmative and Other Defenses to Plaintiff’s Complaint, deem them filed as of the date of this filing, and for any such additional relief that the Court determines to be appropriate.

As stated more fully in the accompanying memorandum, no prejudice would be suffered or delay caused by granting this extension, the parties have been actively litigating this matter in good faith, have been and continue to be engaged in depositions, have exchanged significant discovery, and have otherwise proceeded according to the Federal Rules of Civil Procedure.

Respectfully submitted,

WOODS ROGERS PLC

/s/ Michael P. Gardner

Thomas R. Bagby, Esq. (VSB No. 14853)

Michael P. Gardner, Esq. (VSB No. 80380)

WOODS ROGERS PLC

10 South Jefferson Street, Suite 1400

Roanoke, Virginia 24011

Telephone: (540) 983-7600

Facsimile: (540) 983-7711

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 10th day of July, 2019, the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing (NEF) to counsel of record.

/s/ Michael P. Gardner \_\_\_\_\_